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Decision
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Corporation Commission

BEFORE THE ARIZONA CORPORATION COMMISSION DOCKETED

AUG 06 2001

WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

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IN THE MATTER OF THE APPLICATION OF
WILLIAM D. ROSS d/b/a AR
COMMUNICATIONS FOR A CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE
CUSTOMER-OWNED PAY TELEPHONE
SERVICE IN THE STATE OF ARIZONA

DOCKET NO. T-04022A-01-0442

DECISION NO. 63911ORDER

Open Meeting
July 24 and 25, 2001
Phoenix, Arizona

BY THE COMMISSION:

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. On May 29, 2001, William D. Ross d/b/a AR Communications ("Applicant") filed with the Commission an application for a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona.

2. In Decision No. 55817 (December 10, 1987), the Commission found that COPT providers were public service corporations subject to the jurisdiction of the Commission.

3. In Decision No. 57797 (April 8, 1992), the Commission adopted A.A.C. R14-2-901 through R14-2-909 to regulate COPT providers.

4. Decision No. 58535 (February 14, 1994) adopted a Generic Tariff that establishes rates and minimum service standards applicable to COPT service.

5. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT Certificates without a hearing.

6. Applicant has requested that a Certificate be granted and has indicated that it will provide COPT service pursuant to the rates, terms and conditions specified in the Generic COPT Tariff.

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2 7. Applicant does not presently provide COPT services in Arizona.

3 8. On June 7, 2001, the Commission's Utilities Division Staff ("Staff") filed a Staff
4 Report, recommending approval of the application without a hearing.

5 9. Staff stated that the Applicant has provided a copy of its customer information placard
6 that complies with the Generic Tariff.

7 10. Staff also stated that increased pay telephone availability is in the public interest.

8 **CONCLUSIONS OF LAW**

9 1. Applicant is a public service corporation within the meaning of Article XV of the
10 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

11 2. The Commission has jurisdiction over Applicant and the subject matter of the
12 application.

13 3. The provision of COPT service in Arizona by Applicant is in the public interest.

14 4. Applicant is a fit and proper entity to receive a Certificate for providing COPT service
15 in Arizona.

16 5. Staff's recommendation in Finding of Fact No. 8 is reasonable and should be adopted.

17 **ORDER**

18 IT IS THEREFORE ORDERED that the Application of William D. Ross d/b/a AR
19 Communications for a Certificate of Convenience and Necessity for authority to provide customer-
20 owned pay telephone service in Arizona shall be, and the same is, hereby granted.

21 IT IS FURTHER ORDERED that the Application of William D. Ross d/b/a AR
22 Communications for a Certificate of Convenience and Necessity for authority to provide customer-
23 owned pay telephone service in Arizona shall be granted subject to the condition that William D.
24 Ross d/b/a AR Communications shall file the following fair value rate base ("FVRB") information
25 within 18 months of the date that it first provides service. The FVRB shall include a dollar amount
26 representing the total revenue for the first twelve months of telecommunications service provided to
27 Arizona customers by William D. Ross d/b/a AR Communications following certification. William
28 D. Ross d/b/a AR Communications shall also file FVRB information detailing the total actual

1 operating expenses for the first twelve months of telecommunications service provided to Arizona
2 customers by William bD. Ross d/b/a AR Communications following certification. William D. Ross
3 d/b/a AR Communications shall also file FVRB information which includes a description and value
4 of all assets, including plant, equipment, and office supplies, used to provide telecommunications
5 service to Arizona customers for the first twelve months following William D. Ross d/b/a AR
6 Communications' certification.

7 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

8 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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CHAIRMAN COMMISSIONER COMMISSIONER
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14 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive
15 Secretary of the Arizona Corporation Commission, have
16 hereunto set my hand and caused the official seal of the
17 Commission to be affixed at the Capitol, in the City of Phoenix,
18 this 6th day of August, 2001.

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BRIAN C. McNEIL
EXECUTIVE SECRETARY
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DISSENT _____
PD:mlj

SERVICE LIST FOR:

WILLIAM D. ROSS d/b/a AR COMMUNICATIONS

DOCKET NO.:

T-04022A-01-0442

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